

## ORDINANCE RE: PLANNING AND ZONING FEES

WHEREAS, the Town of Stonington receives many land use applications which require review and inspections and such review and inspections are necessary for the protection of the public health, safety, and welfare; and

WHEREAS, said applications require the review by Town Officials, Town Attorneys, and experts retained by the Town; and

WHEREAS, General Statute Section 8-1c allows a municipality to establish a schedule of reasonable fees for the processing of applications by land use agencies.

NOW THEREFORE BE IT ORDAINED, that in accordance with Connecticut General Statute Section 8-1c fees for municipal land use applications for the Town of Stonington are set forth as follows:

### SECTION 1: Purpose.

This ordinance is adopted pursuant to the authorization of Section 8-1c of the General Statutes of the State of Connecticut which authorizes any municipality, by ordinance, to establish a schedule of reasonable fees for the processing of applications by a municipal zoning commission, planning commission, combined planning and zoning commission or zoning board of appeals. It is the stated policy of this ordinance to effect the following:

- 1.1 To establish a schedule of fees whereby the approximate administrative costs for reviewing, evaluating, and processing such applications are covered by such fees;
- 1.2 To ensure that the system of fees does not include municipal expenses incurred in negotiating with applicants for agreements, conveyances, conditions, modifications or any other concessions desired by the municipality during the application process;
- 1.3 To encourage applicants to become familiar with municipal zoning and development regulations, to submit applications which comply with applicable regulations, and to submit plans, applications and proposals with fewer errors and omissions, thereby reducing municipal processing costs.

### SECTION 2: Definitions.

#### 2.1 Subdivision Application.

Any subdivision application to the Planning and Zoning Commission including, but not limited to, an application for any of the following: subdivision or resubdivision, or application for amendment or revision to same.

#### 2.2 Review, Evaluation and Processing.

Review, evaluation and processing is to include all functions performed in connection with, or associated with, an application, by the Planning and Zoning Commission, the Zoning Board of Appeals, and any other Department of the Town of Stonington or any consultant hired by the Town to review, evaluate or process applications, including but not limited to:

- 2.2.1 Legal advertisements regarding public hearings;
- 2.2.2 Recording and transcribing public hearings and minutes of the Planning and Zoning Commission and the Zoning Board of Appeals meetings relative to the application;
- 2.2.3 Staff salaries and overhead expenses for the Town Planner, Town Sanitarian, and other Town Officials, and consultant expenses in direct connection with the technical and regulatory review;
- 2.2.4 The Town Attorney fees in direct connection with legal advice and review of documents directly related to the subdivision;
- 2.2.5 Decisions of the Planning and Zoning Commission and the Zoning Board of Appeals and other matters requiring publication in a newspaper.

### 2.3 Applicant.

Any person, corporation, partnership or other entity who submits a subdivision application, or an application for any other permit or approval, authorized by the Stonington Subdivision Regulations or Zoning Regulations, or a successor in interest.

## SECTION 3: Fees Charged for Applications.

### 3.1 Use Permits by Right/Additions

3.1.1	Additions up to and including 1,000 Square Feet (SF)	\$50.00	plus \$10.00 per 100 SF of gross floor area
3.1.2	Additions of 1,001 SF and greater	\$200.00	plus \$10.00 per 100 SF of gross floor area
3.1.3	Application renewal	\$25.00	
3.1.4	Detached garage	\$100.00	
3.1.5	Home occupation	\$50.00	
3.1.6	Other new construction/reconstruction	\$50.00	
3.1.7	Pools	\$25.00	
3.1.8	Renovations	\$50.00	

3.1.9	Sheds up to and including 200 SF	\$25.00	
3.1.10	Sheds greater than 200 SF	\$100.00	
3.1.11	Signs up to and including 18 SF	\$25.00	
3.1.12	Signs greater than 18 SF	\$100.00	
3.1.13	New multi-tenant signage program	\$250.00	
3.1.14	Modification to a multi-tenant signage program	\$110.00	
3.1.15	Single-family residence: new construction / reconstruction	\$250.00	plus \$25.00 per 100 SF of gross floor area

### 3.2 Site Plan Review and Modifications

3.2.1	Single-family residential dwelling unit in commercial zone	\$200.00	
3.2.2	Attached housing of any size, commercial/ industrial and institutional up to and including 5,000 SF	\$200.00	plus \$50.00 per 1,000 SF of gross floor area
3.2.3	Commercial/industrial and institutional 5,001 SF up to and including 25,000 SF	\$500.00	plus \$50.00 per 1,000 SF of gross floor area
3.2.4	Commercial/industrial and institutional 25,001 SF and greater	\$2,000.00	plus \$10.00 per 1,000 SF of gross floor area

### 3.3 Special Use Permits

3.3.1	Attached housing of any size, commercial/ industrial and institutional up to and including 5,000 SF in gross floor area	\$500.00	plus \$100.00 per 1,000 SF of gross floor area
3.3.2	Commercial/industrial and institutional from 5,001 SF up to and including 25,000 SF in gross floor area	\$1,000.00	plus \$50.00 per 1,000 SF of gross floor area
3.3.3	Commercial/industrial and institutional greater than 25,000 SF in gross floor area	\$2,000.00	plus \$25.00 per 1,000 SF of gross floor area

### 3.4 Nonconforming Uses

3.4.1	Change of nonconforming use	\$300.00	
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### 3.5 Amendments

3.5.1	Regulation amendment	\$500.00	
3.5.2	Zone change (zoning map amendment)	\$250.00	plus \$100.00 per lot

### 3.6 Coastal Area Management

3.6.1	Single-family residential dwelling unit	\$150.00	
3.6.2	Attached housing of any size, commercial/ industrial and institutional up to and including 5,000 SF of gross floor area	\$500.00	
3.6.3	Subdivisions	\$200.00	plus \$100.00 per lot
3.6.4	Commercial/industrial and institutional 5,001 SF up to and including 25,000 SF of gross floor area	\$1,000.00	
3.6.5	Commercial/industrial and institutional 25,001 SF of gross floor area and greater	\$2,000.00	
3.6.6	Variance	\$100.00	

### 3.7 Subdivisions

3.7.1	Preliminary subdivision	\$200.00	
3.7.2	Subdivision and resubdivision		
.1	Base fee	\$500.00	plus:
.2	2-20 lots, plus base fee	\$225.00	per lot
.3	21-50 lots, plus base fee	\$200.00	per lot
.4	51 plus lots, plus base fee	\$175.00	per lot

.5	Inspection fee	\$50.00	per lot
.6	Engineering review for storm drainage, utilities and new road (payable at the time a subdivision application is filed)	\$500.00	plus \$1.00 per linear foot of road
.7	Inspection and supervision of infrastructure construction (payable at the time a zoning permit application is filed)	5%	of estimated cost

### 3.8 Variances

3.8.1	Base fee	\$200.00	
3.8.2	Per bulk item to be varied	\$100.00	

### 3.9 Other Fees

3.9.1	Bond reduction	\$100.00	
3.9.2	Groundwater protection	\$250.00	

#### 3.9.3 Additional costs

In addition to the fixed fees set forth under this section, the Town of Stonington will collect payment for direct costs of materials and services performed by professionals, other than town employees, including but not limited to specialized inspection, third party professional certifications, legal, stenographic and transcription services associated with an application, or require an applicant to provide certifications, inspections, and/or professional consultant reports at the applicant's expense. The payment of additional costs shall not prohibit the Town of Stonington from requiring performance or forfeiture bonds to ensure the successful completion of all work as may be prescribed in the respective land use regulations.

#### 3.9.4 Reapplication fee

A reapplication fee shall be paid in lieu of the fees provided for herein when an applicant previously paid the fees as required in this ordinance within the last five months but said application was withdrawn.

The reapplication fee applies only to applications for the new construction of, reconstruction of, renovation of, or additions to a single-family residence and uses accessory to that single-family residence; it does not apply to applications for variances from the Zoning Board of Appeals.

The reapplication fee is fifty dollars (\$50.00) for applications for the new construction of, reconstruction of, or an addition to, a single-family residence and fifty percent (50%) of the original applications for renovations to, and uses accessory to, a single family residence.

3.9.5 The fees listed in this ordinance are exclusive of the Application Fee for municipal planning, zoning, wetlands and coastal management applications required by the Connecticut General Statutes Section 22a-27j.

#### 3.9.6 Disposition of fees and costs

The Town fees and costs established by this Ordinance shall be payable to the Town of Stonington for its General Fund.

### SECTION 4: Severance Clause.

This ordinance and the various parts hereof are declared to be severable; and if any part, sentence, section or clause is adjudged to be invalid, it is hereby provided that the remainder of this ordinance shall not be affected hereby and shall remain in full force and effect.

### SECTION 5: Repeal

All ordinances or parts of ordinances, resolutions, regulations or other documents inconsistent with the provisions of this ordinance are hereby replaced to the extent of such inconsistency.

### SECTION 6: Effective Date

This ordinance shall become effective 15 days after publication in a newspaper pursuant to the provisions of Section 7-157 of the General Statutes of the State of Connecticut.

Adopted: November 20, 2007

Effective Date: December 11, 2007